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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,052	11/23/2001	Hajime Homma	NEC 01FN050	4465

7590

03/05/2004

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EXAMINER
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TRAN, HENRY N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 03/05/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/992,052

Applicant(s)

HOMMA, HAJIME

Examiner

HENRY N TRAN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,8,10 and 11 is/are rejected.
- 7) ☒ Claim(s) 2-7,9 and 12-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

This Office action is in response to the applicant's amendment received 12/29/03/ (Paper No. 4). The amendments to the specification and the claims have been entered. Applicant's remarks were considered, with the results set forth as following.

Claims 1-18 are pending in this application.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Amemiya (U.S. Patent No. 5,877,734) as discussed in the prior Office action, see section 3, pages 2-3 of the Office action mailed 9/23/03 (Paper No. 3).

Claims 10 and 11 are original. The amendment failed to point out the patentable novelty which the applicant believe the claims present in view of the state of the art disclosed by the references cited in the prior Office action; see MPEP, section §714.04. Therefore, claims 10 and 11 stand rejected as noted above.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Amemiya (U.S. Patent No. 5,877,734) in view of Kanazawa et al (U.S. Patent No. 6,559,814) as discussed in the prior Office action, see section 3, pages 3-4 of the above identified prior Office action.

Claim 8 is original. The amendment failed to point out the patentable novelty which the applicant believe the claim presents in view of the state of the art disclosed by the references cited in the prior Office action; see MPEP, section §714.04. Claim 8 is therefore stand rejected as noted above.

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amemiya (U.S. Patent No. 5,877,734) in view of Moon (U.S. Patent No. 6,384,802).

Amemiya teaches a method for driving a plasma display panel 120, in which anyone of a scanning electrode, Yi, and a sustaining electrode, Xi, is shared by neighboring display cells, Pij, interposed there between, see figure 3, col. 8, lines 34-35; the method comprising the step of applying sustaining pulses Psx and Psy to pairs of scanning and sustaining electrodes, Xi and Yi, for performing a sustaining discharge for emitting light by a predetermined number in accordance with an image data during a sustaining discharge period (c); wherein, the voltage of the sustaining pulses Psx and Psy are alternately changed between Vs and 0; see figure 4; col. 8,

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lines 14-38; col. 9, lines 28-49; and col. 12, line 57 to col. 13, line 4. However, Amemiya does not teach the newly added claimed limitation: "both sides of one of the sustaining electrode ... between each of the one of the sustaining or scanning electrode" as claimed in lines 9-12 of claim 1. Moon teach a plasma display panel 20 having a matrix of discharge cells 21 provided by an array of m scanning/sustaining electrodes, Y1 to Ym, m commonly sustaining electrodes, Z1 to Zm, and n address electrodes, X1 to Xn; wherein, both sides of one of the sustaining electrode or scanning electrode, the other one of the sustaining or scanning electrode is arranged, and two of the other one of the sustaining or scanning electrode are arranged between each of the one of the sustaining or scanning electrode; see figure 3, col. 5, lines 1-30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the PDP as taught by Moon for the Amemiya driving method for producing the claimed invention; because this would provide a PDP capable of improving a brightness as well as discharge efficiency (see Moon, col. 3, lines 19-23). By this rationale, claim 1 is rejected.

#### ***Allowable Subject Matter***

6. Claims 2-7, 9 and 12-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

7. Applicant's arguments with respect to the newly added element: "both sides of ... scanning electrode" claimed in lines 9-12 of claim 1, see the remarks section, page 11 of the

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above identified amendment, have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments, see the remarks section, page 12 of the above identified amendment file, with respect to claims 2-7, 9 and 12-13 have been fully considered and are persuasive. The rejections of claims 2-7, 9 and 12-13 have been withdrawn.

9. Regarding claims 10 and 11, No attempt is made to point out the patentable novelty. The claims stand rejected; see MPEP, section §714.04.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N. TRAN whose telephone number is 703-308-8410.

The examiner can normally be reached on Mon – Fri from 8:00AM – 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A. HJERPE, can be reached at 703-305-4709.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

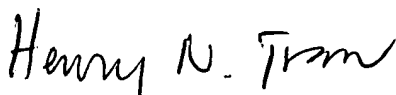
Washington, D.C. 20231

**or fax to:**

703-872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.



HENRY N. TRAN  
Examiner  
Art Unit 2674

Hnt  
March 4, 2004